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Attorney Docket No. ORT-1548

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Dawn H. Wilson-Nudo	/Dawn H. Wilson-Nudo/	November 2, 2010
Type or print name	Signature	Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Thomas Schultz et al. Confirmation No. 2788  
Serial No. : 10/022,138 Art Unit: 1612  
Filed : 12/13/2001 Examiner: Qazi, Sabiha Naim  
For : STEROID HORMONE PRODUCTS AND METHODS FOR PREPARING THEM

Mail Stop Patent Ext.  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**

**UNDER 37 C.F.R. 1.705(b)**

**WITHIN THREE MONTHS OF RECEIPT OF THE NOTICE OF ALLOWANCE**

Sir:

Responsive to the Determination of Patent Term Adjustment posted on the Patent Application Information Retrieval System (PAIR) and provided with the Notice of Allowance dated August 2, 2010, the Applicants submit this Request for Reconsideration of Patent Term Adjustment under 37 C.F.R. 1.705.

12/13/2010 CKHLOK 00000009 100750 10022138

**1. Payment of fee under §1.18(e) or §1.18(f)**

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Applicants hereby authorizes the Patent Office to charge the fee set forth in §1.18(e) or 1.18(f) and any other fees that may be due to Deposit Account 10-0750.

## 2. Statement of Facts

Applicants reviewed the Office's Patent Term Adjustment (PTA) calculation of 348 days. In compliance with the practitioner's duty of candor and good faith in practice before the Office, Applicants wish to disclose that the PTA of 348 days calculated by the Office may be longer than appropriate by 95 days.

Applicants filed an Appeal Brief (37 CFR 41.37) on September 29, 2005. The Office mailed a Notice of Defective Appeal Brief on January 3, 2006. Applicants filed a compliant Appeal Brief on January 30, 2006. The Office responded by mailing a non-final Office Action on May 4, 2006. Had the Appeal Brief filed on September 29, 2005 been compliant, then the 95 day period of adjustment for examination delay would have been appropriate according to 37 CFR 1.703(a)(4). However, because that Appeal Brief was non-compliant, there was no examination delay between the filing of the compliant Appeal Brief on January 30, 2006 and the mailing of the non-final Office Action on May 4, 2006.

Applicants therefore respectfully request that the Office recalculate the Patent Term Adjustment in the present application and, if appropriate, subtract 95 days of Patent Term Adjustment from the PTA of 348 days calculated in the Notice of Allowance and in PAIR, resulting in a total Patent Term Adjustment of 253 days.

Respectfully submitted,

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Dated: November 2, 2010